

## DAVID TRIMM,

Plaintiff,

V.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,  
Defendant.

Civil No. 1:22-cv-00663-BAM

**STIPULATION FOR VOLUNTARY  
REMAND AND ~~PROPOSED~~ ORDER**

1 IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys,  
2 and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary  
3 remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to  
4 offer Plaintiff a new decision.

5 On remand, the Commissioner will offer Plaintiff the opportunity for a hearing, further develop  
6 the record as necessary, and issue a new decision. The parties further request that the Clerk of the Court  
7 be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final  
8 decision of the Commissioner.

9  
10 Date: April 21, 2023

PEÑA & BROMBERG, PLC

11 By: /s/ Caspar Chan for Jonathan Pena\*

12 JONATHAN PENA

13 \*Authorized by email on April 21, 2023

Attorneys for Plaintiff

14 Date: April 21, 2023

PHILIP A. TALBERT

15 United States Attorney

16 Eastern District of California

17 By: /s/ Caspar Chan

CASPAR CHAN

18 Special Assistant United States Attorney

19 Attorneys for Defendant  
20  
21  
22  
23  
24  
25  
26  
27  
28

ORDER

Based upon the Stipulation for Voluntary Remand (“Stipulation”), and for cause shown, IT IS  
HEREBY ORDERED as follows:

1. Plaintiff’s motion for summary judgment (Doc. 16) is terminated as moot.
2. The matter is remanded for further administrative proceedings under sentence four of 42 U.S.C. § 405(g) consistent with the terms of the Stipulation.
3. The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff and against Defendant Kilolo Kijakazi, the Acting Commissioner of Social Security.

IT IS SO ORDERED.

Dated: April 21, 2023

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE